

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the claim amendments and following remarks. Claims 15-20 have been added. Currently, claims 1-20 are pending in the present application of which claims 1, 3, 6, and 15 are independent.

No new matter has been introduced by way of the claim additions; entry thereof is therefore respectfully requested.

Claims 1-5 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Perholtz et al.(U.S. Patent Number 5,732,212). Claims 6-14 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Miseli (U.S. Patent Number 5,537,145). The above rejections are respectfully traversed for at least the reasons set forth below.

Information Disclosure Statement

At the outset, the indication that the Information Disclosure Statement filed on January 22, 2002, has been considered is noted with appreciation.

Drawings

The Office Action fails to indicate whether the drawings have been accepted. The Examiner is respectfully requested to indicate this in the next Office Action.

PTO-892

The Office Action makes reference to U.S. Patent Number 5,732,212 to Perholtz et al. However, Perholtz et al. is not listed in the Notice of References Cited. The Examiner is

respectfully requested to include Perholtz et al. on the PTO-892 form in the next Office Action.

Claim Rejection Under 35 U.S.C. §102

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1-5

Claims 1-5 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Perholtz et al.(U.S. Patent Number 5,732,212). This rejection is respectfully traversed because the claimed invention as set forth in claims 1, 3, and the claims that depend therefrom are patentably distinguishable over Perholtz et al.

Claim 1 recites “providing an access code to the end user at the remote site to initiate a video display test on the video display device using information stored inside the video display device.” Claim 3 recites “contacting a service center to obtain a test code and entering the test code...to initiate a visual test.” Perholtz et al. fails to teach that an access code is provided to the end user or that a test code is obtained to initiate a video display test using information stored inside the video display device as recited in claims 1 and 3. The Office Action alleges that this element is shown at column 38 lines 9-60 of Perholtz et al. However, this cited section of Perholtz et al. is silent with regards to providing an access code or a test code to an end user and silent with regards to using the access code or the test code to initiate a video display test. Perholtz et al. does mention, in another section, that a computer is accessed with a password for the purpose of transmitting information to a remote computer. See column 7 lines 4-7. Clearly however, this section has nothing to do with providing an access code or a test code to an end user for the purpose of initiating a video display test.

Accordingly, Perholtz et al. fails to teach all of the features contained in claims 1 and 3, and thus, these claims are believed to be allowable. Claim 2 depends upon allowable claim 1. Claims 4 and 5 depend upon allowable claim 2. These dependent claims are also allowable at least by virtue of their dependencies.

Claims 6-14

Claims 6-14 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Miseli (U.S. Patent Number 5,537,145). This rejection is respectfully traversed because the

claimed invention as set forth in claim 6 and the claims that depend therefrom are patentably distinguishable over Miseli.

The Office Action improperly asserts that Miseli discloses all the elements of claim 6. Claim 6 recites “a self-testing video display device, comprising...” Emphasis added. The display device 135 of Miseli is clearly shown in Figure 3. As shown, the display device 135 includes a column display driver 137, a row display driver 138, a unidirectional data display bus 136, and a display screen 140. See figure 3 and column 5 lines 36-54. The display device 135 does not, however, include a keypad, a memory for storing a video display test program, a processor, or a controller; all of which are recited in claim 6.

Accordingly, Miseli fails to teach all of the features contained in claim 6, and thus, this claim is believed to be allowable. Claims 7-14 depend upon allowable claim 6 and are also allowable at least by virtue of their dependencies.

Newly Added Claims

Claims 15-20 have been added. Claim 15 includes elements similar to the elements in claim 6 and therefore is allowable over the prior art of record for similar reasons. Claims 16-20 depend upon allowable claim 15 and are also allowable at least by virtue of their dependencies. Therefore, the Examiner is respectfully requested to allow claims 15-20.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

PATENT

Atty Docket No.: 100111255-1

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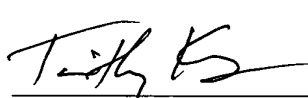
Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

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